

Fifth Judicial District
Social Early Neutral Evaluation
Fee and Confidentiality Agreement

_____ & _____
Court file: _____

_____ and _____, parties to this agreement have engaged _____ and _____ to perform an Early Neutral Social Evaluation subject to the following terms:

1. Early Neutral Evaluation (ENE) is a short term, confidential evaluative process designed to facilitate prompt dispute resolution in Family Court matters.

2. It is understood that all ENE sessions will occur between _____, _____, and the parties present with counsel for each party.

3 Confidentiality. The parties will not:

a. Electronically record any of these proceedings without written consent from all participants.

b. Subpoena the evaluators or any records containing the notes or impressions of the evaluators;

c. Evidence produced during the ENE process that is not otherwise discoverable remains confidential. The parties and counsel are prohibited from attempts to obtain through discovery or use as evidence any records deemed to be confidential under the ENE process.

d. The parties will not subpoena the evaluators including but not limited to Members of the evaluator's staff, any records, or documents of the evaluator in any legal proceedings of any kind. If so called or subpoenaed, the evaluator may refuse to testify or produce the requested documents.

e. Should any party attempt to compel such testimony or production, such party shall be liable for, and shall indemnify the evaluator against any liabilities, costs or expenses, including reasonable attorney's fees, which the evaluator may incur in resisting such compulsion

4. Fees: The parties agree to pay for services of the evaluators at a flat rate of \$600.00 per session with each party responsible for one half of the fee. If the neutral(s) must travel more than 25 miles from their location there is an additional \$25.00 travel fee to be split between the two parties and paid to the neutral(s).

The Early Neutral Evaluation Program in the Fifth Judicial District is not responsible for any interpreter fees. If the party or parties require an interpreter, they are responsible for attaining and paying the interpreter out of their own pocket.

Services provided by the evaluators include: preparation for ENE session, time meeting with the parties and counsel during the ENE session and drafting of any memorandum which summarizes any agreements of the parties and/or notification to the Coordinator or Judge that agreement has been reached.

Each party shall pay to the evaluators at each scheduled ENE session.

Dated: _____, 2016.

Neutral

Neutral

Party: _____

Attorney

Party: _____

Attorney

Additional Person

(ALL PARTIES IN THE ROOM DURING THE ENE SESSION MUST SIGN THIS AGREEMENT)